



STATE OF DELAWARE  
**STATE COUNCIL FOR PERSONS WITH DISABILITIES**  
MARGARET M. O'NEILL BUILDING  
410 FEDERAL STREET, SUITE 1  
DOVER, DE 19901

VOICE: (302) 739-3620  
TTY/TDD: (302) 739-3699  
FAX: (302) 739-6704

**MEMORANDUM**

DATE: December 23, 2009

TO: Ms. Sharon L. Summers, DSS  
Policy, Program & Development Unit

FROM: Daniese McMullin-Powell, Chairperson  
State Council for Persons with Disabilities

RE: 13 DE Reg. 782 [DSS Proposed Child Care Subsidy Program Regulation]

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Health and Social Services/Division of Social Services' (DSSs) proposal to amend its Child Care Subsidy Program regulation published as 13 DE Reg. 782 in the December 1, 2009 issue of the Register of Regulations. SCPD has the following observations.

First, the most significant amendment is to increase the period of extended child care for the purpose of job search from one month to three months. SCPD endorses this amendment.

Second, §11002.9AC is amended as follows:

Large Family Child Care Home - A place where licensed care is provided for more than six but less than twelve children. A private residence other than the child's residence, where child care services are provided by a caregiver for fewer than 24 hours per day per child.

DSS may wish to consider whether the first sentence should be retained. Without it, there is considerable overlap with the definition of "Family Child Care Home" in §11002.9S. For example, a family child care home with 1-6 children would qualify under each definition.

Third, there is an anomaly in the regulation insofar as a family child care home (§11002.9S) can provide care in excess of 24 hours if necessitated by the parent's work. However, a large family child care home (§11002.9AC) does not have this option. It is difficult to identify a logical rationale for the distinction. DSS may wish to adopt the same authorization for both types of homes.

Thank you for your consideration and please contact SCPD if you have any questions or comments regarding our observations on the proposed regulation.

cc: Ms. Elaine Archangelo  
Mr. Brian Hartman, Esq.  
Governor's Advisory Council for Exceptional Citizens  
Developmental Disabilities Council

13reg782 dss-child care 12-09